



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/506,432

09/02/2004

Koon Seok Lee

7950.029.00-US

1283

30827

7590

11/12/2008

MCKENNA LONG & ALDRIDGE LLP  
1900 K STREET, NW  
WASHINGTON, DC 20006

EXAMINER

TRUONG, LECHI

ART UNIT

PAPER NUMBER

2194

MAIL DATE

DELIVERY MODE

11/12/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/506,432	LEE, KOON SEOK	
	<b>Examiner</b>	<b>Art Unit</b>	
	LECHI TRUONG	2194	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 31 July 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-5 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

### **DETAILED ACTION**

1. Claims 1-5 are presented for examination.

#### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. **Claim 1 is rejected under 35 U.S.C. 103(a) as being unpatentable over Bione (US 2003/0056225 A1) in view of Mullaly et al ( US 6,570524 B1) and in view of Hallenbeck( US 2006/0004920 A1).**

3. **As to claim 1**, Bione teaches the invention substantially as claimed including: controlling a home network system (controlling multimedia devices, abstract, ln 1-2/ other electronically controllable home systems, para [0028], ln 8-11/ control at least one multi-media device, left col 6, ln 23-25);

inputting control data of a user (the information input by the user, para [0049], ln 10-13/ the user select the desired television channel with user interface 242, para [0051], ln 2-4/ entering information with the user, para [0054], ln 1-3);

the message (an instruction message, para [0049]/ ln 11-13/ para [0056], ln 3-6/ a digital transmission message, para [0049], ln 11-16/ channel selected message, para [0051], ln 3-7),

Art Unit: 2194

generating a message by the input control data (para [0049], ln 11-13/ln 11-16/ para [0051], para [0054], ln 2-6/ln 3-7/ para [0056], ln 3-6);

generating a file by the input control(receives user input from the interface 242 and generates an instruction message based on user-entered information, i.e. address of module associated with device for which action is directed, and what action, channel selection, for example, should be performed, Para[0056], ln 2-5).

application (the module, para [0051], ln 3-7/ para [0045], ln 5-7 / para [0024], ln 6-9/ para [0058], ln 12-15/multimedia module, para [0060], ln 6-12), transmitting the generated message to a corresponding appliance (para [0060], ln 6-12/ para [0051], ln 3-7);

control function (volume/tone adjust, on/off, VCR programming, etc, para [0061], ln 5-8), performing a corresponding control function (para [0061], ln 5-8), performing a corresponding control function by analyzing the transmitted file (para [0058], ln 6-10/ para [0060], ln 5-11/para [0056], ln 4-9).

4. Binone does not explicitly teach operating driver program per manufacturer of an appliance corresponding to the control data. However, Mullaly teaches operating driver program per manufacturer of an appliance corresponding to the control data (In analogy to the use of drivers in a GUI, the target appliances recited herein may have associated drivers to translate the pointer events (i.e., signals derived by the pointer) transmitted by the portable pointing device into events specific to the target appliance (i.e., signals recognized by the target appliance). This driver may be part of an appliance interface associated with each target appliance, col 4, ln 10-16/ appliances, which may perform dissimilar functions and may be produced by different manufacturers, col 2, ln 61-64/ the appliance interface associated with the target appliance may

Art Unit: 2194

include a receiver, an appliance-side I/O interface, and a driver. A pointer event signal transmitted by the pointing device may be detected (i.e., decoded) by the appliance-side I/O interface. The pointer event signal may be translated to a corresponding appliance function by the driver, col 4, ln 34-40/ the system including pointing device 16 and one or more of appliance interfaces 18, 20 and 22 allows remote communication with one or more of the corresponding addressable appliances 10, 12, and 14. Each of the appliance interfaces is configured specifically for its corresponding appliance, and is operably coupled to this appliance. "Operably coupled" as used herein indicates a coupling in such a way that allows operation of the combination.

Appliance interface 18, for example, is coupled to appliance 10, a lamp, such that data including...The appliance interface may be packaged in a separate unit from the appliance, as for interface 18 and appliance 10, or it may be configured upon or within the appliance, as for appliance interfaces 20 and 22 for appliances 12 and 14, respectively, col 7, ln 44-60/ Fig.1).

5. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Binone with Mullaly to incorporate the feature of operating driver program per manufacturer of an appliance corresponding to the control data because this makes interaction with computer application programs easier and more intuitive and allows multiple appliances to be accessed with a single, relatively simple pointing device.

6. Bione and Mullaly do not teach generating a file depends on a manufacturer of an appliance. However, Hallenbeck teaches generating a file depends on a manufacturer of an appliance (receive a packet that is formatted to direct a change in a state of the output. If the output is connected to presimulated-based apparatus, such as a heating system, appliance, or security system, the change in state of the output might be effected to communicate with the

Art Unit: 2194

premises-based apparatus, para [0008], ln 1-8/FIG. 7 illustrates the format for packets received by an I/O unit for the purpose of effecting a change in an output in an example embodiment of the invention. The packet has a unique output identifier, 701, that has a specific type. Field 702 contains instructions for the desired change for the output specified by the unit number and output number in field 701, para [0052], ln 1-7).

7. It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify of the teaching of Bione and Mullaly with Hallenbeck to incorporate with the feature of generating a file depends on a manufacturer of an appliance because this allows the inputs and outputs to be sent and received in various formats to communicate with different premises-based apparatus.

**8. Claims 2-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Bione (US 2003/0056225 A1) in view of Mullaly et al ( US 6,570524 B1) and in view of Hallenbeck( US 2006/0004920 A1), as applied to claim 1 above, and further in view of Tsao (US. Patent 7,076491 B2).**

9. **As to claim 2**, Bione, Mullaly and Hallenbeck do not teach generating the file by the input control data means generating a data array-type of file according to the input control data. However, Tsao teaches generating the file by the input control data means generating a data array-type of file according to the input control data (generating and editing data files, each data files including an array of main data objects that each have unique address ... means for

Art Unit: 2194

generating includes means for receiving in working memory user input defining the address of a main data object of a particular data file, col 6, ln 42-48).

**10.** It would have been obvious to one of the ordinary skill in the art at the time the invention was made to modify the teaching of Bione, Mullaly and Hallenbeck with Tsao to incorporate with the feature of generating the file by the input control data means generating a data array-type of file according to the input control data because this allows the unified user interface to preserve data integrity across plural application types and a variety of operating system with the high productivity and compatible.

**11.** As to claim 3, Bione teaches transmitting the generated file to a corresponding appliance means transmitting the file to a corresponding appliance by utilizing a standardized factor structure for every command (para [0058], ln 13-15/ para [0056], ln 4-7/para [0023], ln 6-10).

**12.** As to claim 4, Bione teaches the standardized factor structure comprises current packet number, total number of packets, option, number of data, and data array format (para [0056], ln 3-7/ para [0061], ln 5-9) and Hallenbeck teaches the standardized factor structure comprises current packet( para[0052], ln 1-6).

**13.** As to claim 5, Tsao teaches transmitted in a file format to the data array area (col 9, ln 9-12/ col 10, ln 27-30).

#### **Response to the argument**

**14.** Applicant amendment filed on 10/506432 has been considered but they are not persuasive:

Applicant argued in substance that:

Art Unit: 2194

(1) “fail to teach or suggest, at least, generating a file by the input control data such that a format of the generated file depends on a manufacturer or appliance”.

(2)" Hallenbeck does not distinguish between different types of appliances”.

15. Examiner respectfully disagreed with Applicant’s remarks:

As to the point (1), Binone teaches generating a file by the input control(receives user input from the interface 242 and generates an instruction message based on user-entered information, i.e. address of module associated with device for which action is directed, and what action, channel selection, for example, should be performed, Para[0056], ln 2-5/the address selection means would cause the appropriate address to be sent to the data generator 244. Data generator 244 merges the device address information with the desired action information and sends the combined information packet as a composite message to the RF transmitter 246 for broadcast, para [0055], ln 6-14) and Hallenbeck teaches generating a file depends on a manufacturer of an appliance (receive a packet that is formatted to direct a change in a state of the output. If the output is connected to premises-based apparatus, such as a heating system, appliance, or security system, the change in state of the output might be effected to communicate with the premises-based apparatus, para [0008], ln 1-8/FIG. 7 illustrates the format for packets received by an I/O unit for the purpose of effecting a change in an output in an example embodiment of the invention. The packet has a unique output identifier, 701, that has a specific type. Field 702 contains instructions for the desired change for the output specified by the unit number and output number in field 701, para [0052], ln 1-7).



Art Unit: 2194

As to point (2), Hallenbeck teaches presimises-based apparatus, such as a heating system, appliance, or security system (para [0008], ln 1-8).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (571) 272-3767. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on (571) 272-3756. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications

Art Unit: 2194

may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

November 12, 2008

/Li B. Zhen/

Primary Examiner, Art Unit 2194